



**RECORD OF**

**SOME WORTHY PROCEE-**

**DINGS:**

**IN**

**THE HONOURABLE, WISE, AND  
FAITHFVLL HOWSE**

**OF**

**COMMONS IN THE LATE  
Parliament.**

*Iustitia est suum cuiq; tribuere,*

**1611,**

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To all true hearted English men  
dwelling in their native soile.

**H**owsoever (my deare countrey-men) it is mine hap to  
abide on this side the seas; yet I cannot but hearken  
after the prosperitie of my gracious Sovereigne, and natu-  
rall countrey; especially in the Parliament time. I am not  
(in deed) in any such eminent place, as where I may be sure  
to have a perfect relation of all remarkable affaires: yet by  
my diligent indeavour, I obteyne (in time) more probable  
intelligence, than many of you doe. Of which the love of  
my countrey compelleth to make some present use, occasio-  
ned by a Publication (for not one word thereof is in the  
Kings name) dated 31. December last. Wherein the Wor-  
thiest house of Commons that ever was, is coverly tradu-  
ced for spending long time, and great charges, and yet fail-  
ing an earnest expectation of a good conclusion for the Ease,  
and Freedome of his Maiesties subiects. I could not there-  
fore but indeavour to prevent (as I may) the heart-burning,  
which (I feare) that publication may occasion between the  
King and his Commons, and 2. to make it appeare that no  
house of Commons had ever a greater zeale for the ease &  
freedome of the subiects than the late house had. The for-  
mer, by demonstrating that the sayd covert imputation  
is not the Kings, but the pen-mans. For whereas Procla-  
mations (in deed) speak in the first person, as thus, Our  
subiects; & We are resolved, that publication speaketh in  
the third person thus, His Maiesties subiects; & His  
Maiestie is resolved. Therefore it was not penned by his  
Maistry.

*Majesty.* Againe, How can close suggesting the said imputation to be cause of dissolving the Parliament agree with that which is expressly said. That his Majesty, for many good considerations knowne to himselfe determined to dissolve, &c? Doth not this shew, that the over large preamble of that publicatiō is the pen-mans, & onely the body thereof was by the Kings direction? Moreover, In a Proclamation dated 24. September last, his Majesty findeth fault with former proclamations, in regard of their penning. Which sheweth, that, when his Majesty hath signified his mind touching the substance of a proclamation; he doth not alwayes review the penning thereof. Therefore it may be supposed, that he did not peruse the penning of the publication. So that I think it may be well concluded, that the said imputation is not the Kings, but the pen-mans.

As for the zeale of the commons in parliament for the ease, & freedoms of the subjects, let that appeare by that which is here published. Onely I suppose it not amisse to remember, that in the second session of the late parliament, there passed these billes in the house of commons. 1. An act for the better observing and keeping holy the Sabbath day, or Sunday. 2. An act against such, as coming to church, doe refuse to receive the sacrament of the Lords Supper. 3. An act for the providing of a learned, & godly Ministry. and 4. An act to inable suspended, and deprived Ministers to sue, & prosecute their appeales. I remember these, because that worthy Knight, or burgisse (whose

speech

Speech is here recorded ) doth not speak of them; Intending ( belike ) to mencion no other billes, but such as passed in the house of commons, in the fourth, that is, the last session of parliament. I say, The last, because the fifth cannot be accounted a session, seing nothing was concluded therein, the Speaker, sundry mornings before the house met together adjourning the same from day to day, til the parliament was prorogued, and there dissolved. Well, I pray God; that, whensoever we shall have an other parliament, Counties, cities and burroughes may not be moved by letters from such common-wealth-men, as the person of the said publication is feared to be, to chuse such Knights and burgesses, as will have less zeale for the ease and freedome of the subjects, than had the Knights, and burgesses of the late parliament.



This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some faint smudges and discoloration, characteristic of old paper. A small, dark, irregular mark is visible near the center of the page. The right edge of the page shows the binding structure, including the spine and adjacent pages.



*A memorable speech in the house of Commons.*

**M**R. Speaker, I perceive we are all much troubled by the evill successe which we haue had in the great contract concerning tenures and purveiance, after our long traveil and much tyme spent therein, and in other causes of good importance: so as many have taken occasiō therby to say of us, that although there was never a more honourable assembly, in the Cōmons howse of Parliament, of godly, wise, and learned men, then at this time, that yet there did never less fruit appeare of their labour to the world, at any time before, then nowe: which fruitlesse labour if it might be truly imputed unto us, it might worthily greive vs all. But I hope that in seeking out meanes of redresse, or releife in this case, I shall make it appeare to all, that will rightly weigh of the thinges, that if furtherance had been given by others, whom it concerns, to our labours and good indevours, many abuses had been reformed, & much good done to the common wealth of England.

But as it is true, which that great wise Lord, who hath the cheif charge of the treasure of the Realme, sayd unto vs at our last meeting with the honourable Lords of the vpper howse of Parliamant, in the paynted chamber at Westm: touching the great contract, viz. that he did well perceive, that we had a great desire to haue effected that great contract, that the Kings Majesty had willingly given his assent to the same, & that yet neverthelesse it proceeded not, wherein he could not finde the impediment, but that God did not blesse it: so is it likewise true of the rest of our proceeding in Parliament, that God hath not blessed the same with good successe, which troubled me at the first, vntill I did further consider of many other parties of the Realme, and many other callings, and societies of the Realme, to whom God

hath given as litle blessing . as to the Parliament howse. For it did appeare plainly to vs in this howse, vpon the treatie and examinations of the greivances of the Church and common wealth, that the Merchants of England who were a calling of very great vse in this Realme, for the wealth, strength, and credit thereof, and as it were the leggs of the common wealth, whereon it goeth, had not received such blessing of late, yea in their merchandizing, as in former times, although they labor asmuch, and adventure asmuch, as in former times they did. And that likewise the clothiers being a trade whereby many thow sands subjects are mainteyned, although they labour in their calling as much at this time, as ever before they did; doe of late finde so litle fruit of their labour, as that many of them are decayed, and many of them have given over that trade to the hinderance of the Realme.

And also the like is fallen to the Marriners, and Shipwrights of this Realme, which number is greatly decayed, and with them the serviceable shippes and shipping very much weakened, which threatneth a decay of the walls, and strength of the Realme, which by good shipping, and good Marriners, is well defended.

And I finde also, that God hath not blessed the treasure of the Realme, for it is gone from us, as if God had blown upon it, to turne it out of the land, so as Prince & people want.

And I finde also in the calling of lawyers that there is not the like increase of their labors, as in times past, except it be some fewe favorites; and I think that divers Knights, Citizens, and Burgessees now here present about me, could say the like of divers sorts of me in their countreyes, cities, and Burroughes, if they list to speak: whereupon I doe assuredly think, that for some publique sinns

of the land, God hath a quarrell to the land, whereby he doth withdrawe his ordinary blessings ; which publique sinnes this great Councell of the Realme ought first to seeke out, and as much as is in our power to redress the same, that God being thereby reconciled vnto the land, an happy blessing might insue to all the estates thereof: which to effect you shall see what we for our parts have done to obteyne Gods loving countenance to the land, as a sheild, by removing the publicke sinnes thereof, which as a thick cloud doth keepe from vs Gods shining grace.

First we did see, and consider, that the precious name of God, which we ought to regard more then our lives, is not by the lawes of England, so tenderly regarded, & preserved, as the name of all sortes of people in the land: For if some evill wordes be vsed against the King it is high treason, for which the offender shall dye. And if some evill words be vsed against noble men, it is punishable by the statute *de Scandalum magnatum*. And that for some evill words vsed by any private person against another, an actiō of the case doth lye, at the common law, to punish the offender, and to recompence the partie wronged. But for abusing the holy name of God, and tearing him in peeces by wicked oathes, there is no punishment by the lawes of the Realme, whereby both men, women, and children increase in that sinne grievously, every day, without punishment or check: wherefore to prevent that sinne, we did, at two severall sessions of Parliament, make two severall bills, which did passe our howse of Commons, to be made lawes for punishment of such Offenders.

And to take away that crying sin which doth most  
 As provoke



provoke God, & most grieve the subjects, viz. the depriving, disgracing, silencing, disgrading, and imprisoning, such of Gods Messengers (being learned and godly preachers) as he hath furnished with most heavenly graces to call us to true repentance, for no other cause, but for not conforming themselves otherwise than by subscription limited in the statutes made in the 14. yere of the late Queene Elizabeth of famous memory, thereby making the lawes of the Church, and comon wealth to jarre: which to reforme we made a lawe for subscription agreeing to the intent of the foresayd statute, which every wise mā wil approve, & willingly subscribe unto, wherby much peace, & unitie would grow in the church & comon wealth, & be an occasion that many subiects might be well taught the meanes of their salvation, who now want sufficient knowledge of the word of God to ground their faith upon.

And to take away another grosse sin, which is made lawfull by act of Parliament, whereby the land is made guiltie thereof, viz. concerning non residents, and pluralitie of benefices, we did passe a bill in the last Sessions of Parliament, & have another bill concerning that offence ready to passe being twice read, and agreed upon at the Comittées, whereby we abrogate so much of the statute of the 21. yere of K. Hé. the 8. as did inable non residets, or the taking of more benefices then one with cure of soules, for by the provisoes in that Statute, the Kinges Chapleines may have as many benefices, as they can get, without stint, & some others may have 4. benefices with cure at one time, in severall counties, & some two benefices, & yet be resident upon none of them, so long as he attendeth upon his Lord, or Mr. which is a thing intolerable in a Christian common wealth.

And



And for that some scandalous Ministers of euill life do bring a great slander to all the rest, being many godly & learned preachers, we did make a good law to remove such scandalous Ministers from their place.

And where by the lawes of God, and the lawes of this Realme the ecclesiasticall persons should, in their government, use onely the spirituall sword by exhortation, admonition, and excommunication, which are the keyes of the Church to exclude impenitent sinners, & to receive into the Church, the penitent and faithfull persons, and and to leave the temporall sword, to the temporall Magistrate, which was alwayes so used in England untill the second yeare of King Hen. 4. at which time the popish Prelates, following the example of the man of sinne at Rome, obtayned a statute without the free consent of the subjects (as is set forth by Mr Foxe, and in some sort, appeareth by the record of the Towre) by which statute they got the temporall sword into their handes, which statute was since, by severall acts of Parliament, made voide with great disgrace, and yet by colour of that temporall authoritie once, by a short space by them used, some ecclesiasticall persons doe use both swords, to the great griefe, and trouble of the subjects, and with those two swordes, they doe also use the oath ex officio, which began first in England, by that statute of the 2. yere of K. Henry the 4. being contrary to the lawes of England, & (as I verily think) contrary to the lawes of God.

Wherefore we to reforme those great abuses, made 2. good lawes, the one to abridge the force of the ecclesiasticall comission in many pointes: thother to abrogate, and take away the power of ecclesiasticall persons to minister the oath ex officio being a very hatefull thing, and unlawfull.

And

And for that among the Canons, late made by the clergie of England in their Convocation, it was thought, that that some of their canons did extend to charge the bodies, landes, and goods of the subjects of the Realme, further then was lawfull, and meet, we therefore made a good lawe to make voide such Canons, as doe charge the bodies, lands, and goods of the subjects, unlesse that the same Canons were confirmed by Parliament.

And as we had care of the Church, so had we care of the common wealth, touching impositions layd upon the subjects goods, and merchandize, and other thinges, & therefore, after long travel taken by us in searching ancient Records in the Tower of Londō, & in other places, & after great dispute made herevpon, in open house, by many learned Lawyers, we found it cleare in our opiniō, that impositions layd upon merchādize, or other goods of the subjects of this Realme, by the Kings Majesty, without the free consent of the subjectes in Parliament was not lawfull, and therefore we did make and passe a bill, by the generall consent of the house of Commons, intended by us all to be a lawe, thereby to declare, that by the lawes of England, no imposition could be lawfully layd vpon goods, or merchandize of the subjects of England, without consent of the subjects in Parliament.

And because that many subjects were greatly troubled by purveyance, and cartaking, notwithstanding the good lawes in that behalf made to restraine the same, a bill was preferred by some member of the house, for reformation of that abuse, at the beginning of the last Sessions of Parliament; which bill, by all likelihood, had long since passed this howse of commons, if the matter of purveyance had not been comprehended in the great contract, which matter of great contract being nowe ended

ded, a new bill concerning purveyance, and cartaking is  
in my hands, now presētly to be delivered into the house  
to receive such proceeding therein, as shalbe thought  
meet.

And touching wardship & tenures, because it is thought  
a heavie law, and greivous to the subjects, after the death  
of the father to have the sonne, & heire within age; taken  
from the mother and kindred, to be bought and sold, &  
with the heire also to take all the lands and tenements of  
the father, that should many times mainteyne both the  
heire, & the rest of the children, for the onely benefit of  
the gardian: therefore we made a very large offer to free  
the land thereof, which we laboured earnestly to effect,  
but God hath not blessed it, nor brought to good effect  
any of those good intended lawes above by me mention-  
ed, although we much desired the same, and had done  
therein as much as perteyned to vs to doe, which if they  
had been well effected, and passed as lawes and statutes,  
and that all such greivances, concerning the Church and  
cōmon wealth, as wee carefully cōmended unto his Ma;  
in writing (whereof the copies doe remain in this house)  
had procured such amédémēt of things, as we expected,  
It had made England so honourable and happy in the  
government thereof, as ever was kingdome in this  
world (as I think). And which when the same shalbe  
well effected, will (as I think) make both King, and  
subjects more happy, then ever they were. For if  
all these thinges had so concurred together, as wee  
wished, and laboured for, what would wee not give  
to supply the Kings wants, and to support him in a most  
Roiall, and princely estate. But *rebus sic stantibus*,  
as is before declared, without reformation of those  
thinges



things, which were by us so earnestly sought, we cannot give much to supplie the Kings wants, because we know no certainty of that which should remaine to us after our gift, so as, in mine opinion, the good proceeding of this Parliament hath not been hindred by us, which is all I meant to say at this time.

The particulars to be contracted for, in consideration of two hundred thousand pounds, per annum to be paid unto his Majestie.

1. Wardshippes, and tenures, with their particular dependances, shalbe utterly taken away.

2. The maxime, Nullum tempus occurrit regi, shalbe no longer of any effect.

3. All the Kings patentees shalbe expounded for the good of the patentee, and according to the true meaning.

4. No forfeiture shalbe taken by the King, or his patentee, for non payment of rent.

5. Any subject shall plead the generall issue (Not guilty) upon information of intrusion,

6. All penall lawes, and informations shalbe ordered for the best ease of the subject.

7. All manner purveyance taken by prerogative, cart-taking, compositions, and commissions therefore, & Præsumption (except of time) shalbe utterly taken away, & no clerk of the market shall set price on any victuall, nor any other shall doe the same.

8. All presines, and postfines to be due upon alienati-



on by fine and recovery, shalbe taken away.

9. Debtes shalbe paid to the subjectes before any advantage be taken, by the King, of forfeitures upon outlaws, or attainders of felons, or traitors.

10. That clause in the statutes of 34. & 35. of Hen. 8. touching alteration of lawes in Wales shalbe repealed.

11. Every subject that hath possessed land by the space of 60. yeares, where the King, in that time, hath not had the possession, or profit thereof, by the space of one yeare, shalbe free from the Kings claime. And, if the King, within that space, hath been seised of any rent, out of the same landes, then that rent onely shall remaine to the King.

12. Old debtes due to the King before tenne yeares last past shalbe forgiven.

13. The King shall expresse the cause of demurrer in pleading against any of his subjects.

14. Fees of all courtes to be payd by the subjectes shalbe expressed in a booke in print.

15. All lawes absolute, that are penall, shalbe repealed, and all penall lawes of one nature shalbe reduced to one law.

16. No protection against law shalbe graunted by the King.

17. Any thing doubtfull in any of these articles shalbe explained by our selves.

18. Any other matter, which at our next meeting, we shall conceive to be for the ease of the subjects, & shall not detract from the King, in point of sovereignty, or practice shalbe essentiall in this contract.

*To the Kings most excellent Maiestie.*

**M**ost gracious soveraigne, whereas we your Majesties most humble subjects the cōmons assembled in Parliament, have received first by message, & since by speech, from your Majestie a commandement of restraint from debating, in Parliament, your Majesties right of imposing vpon your subjectes goodes exported, or imported out of, or into this Realme, yet allowing vs to examine the grievāces of these impositiōs in regard of the quantitie, tyme, and other circumstances of disproportion thereto incident: wee your said humble subjectes nothing doubting, but that your Majesty had no intent, by that commandement, to infringe the ancient, and fundamentall right of the libertie of Parliament, in point of exact discussing of all matters concerning them, and their possessions, goods, and rights whatsoever: which yet wee cannot but conceive to be done, in effect, by this commandement, doe with all humble dutie make this remonstrance to your Majesty.

First we holde it an ancient, generall, and vndoubted right of parliamēt to debate freely al matters, which do properly concerne the subject, and his right, or state: which freedome of debate being once foreclosed, the essence of the libertie of Parliamēt is with all dissolved.

And whereas, in this case, the subjects right on the one syde, and your Majestyes prerogative on the other cannot possibly be severed in debate of either, we alledge, that your Majesties prerogatives of that kynd cōcerning directly the subjects right, and interest, wee dayly handled and discussed in all courts at Westminster, and have been ever freely debated, vpon all fit occasions, but in this, & all former Parliaments without restraint. Which  
being

being forbidden, it is impossible for the subject either to know, or mainteine his right, & propertie to his owne landes, and goods though never so just, and manifest.

It may further please your Most excellent Majesty to vnderstand that wee have no minde to impugne, but a desire to informe our selves of your highnes prerogative in that point: which if ever, is now most necessary to be knowne. And though it were to no other purpose, yet to satisfie the generality of your Majesties subjects, who finding themselves much grieved by these new Impositions, do languish in much sorrow, and discomfort.

These reasons (dreade sovereigne) being the proper reasons of Parliament) do pleade for the vpholding of this our ancient right and liberty. Howbeit, seing it hath pleased your Majestie to insist vpon that judgement in the Exchequer, as being direction sufficient for us, without further examination, upon great desire of leaving your Ma: vn-satisfied in no one point of our intents, and proceedings, we professe touching that judgement, That we neither doe nor wil take upon us to reverse it: but our desire is to know the reasons whereupō the same was grounded. And the rather, for that a generall conceipt is had, that the reasons of that judgement may be extended much further, even to the utter ruine of the ancient libertie of this kingdome, and of the subjects right of propertie to haue landes, and goods. Therefore the judgement it self, being the first and the last that ever was given in that kind, for ought appearing unto us, and being onely in one case, and against one man; it can binde in law no other then that person, and is also reversible by writ of error granted heretofore by act of Parliament. And neither hee, nor any other subject is debarred, by it, from trying his right in the same, or like case.



case, in any of your Majesties Courts of record at Westminster.

Lastly wee nothing doubt, but your intended proceeding, in a full examination of the right, nature, & measure of these new impositions (if this restraint had not come betweene) should have been so orderly, & moderately caried, & so applied to the manifold necessitie of these tymes, and given your Majesty so true a view of the state, and right of your subjectes, that it would have been much to your Majesties content, and satisfaction (which wee most desire) & removed all cause of feares, and jealousies from the loyall hearts of your subjects, which is (as it ought to be) our carefull indeavour. Whereas contrarywise, in that other way directed by your Majesty, wee cannot safely proceed, without concluding, for ever, the right of the subject: which, without due examination thereof, wee may not doe.

We therefore, your highnes loyall and dutifull commons, not swerving from the approved steps of our ancestors, most humbly and instantly beseech your gracious Majesty, that without offence to the same, we may (according to the vndoubted right, and libertie of Parliament) proceed in our intended course of a full examination of these new impositions, that so we may cheerfully pass on to your Majesties busines, from which this stop hath, by diversion, so long with held vs. And wee your Majesties most humble, faithfull, and loyall subjects, shall ever, according to our bounden dutie, pray for your Majesties long and happie raigne over vs.

Delivered by 20. of the lower howse of  
Parliament the 24. of May 1610.



**M**ost gracious and dread soveraigne, Sith it hath pleased Almighty God, of his unspeakable goodnes & mercie towards us, to call your Majestie to the government of this kingdome, and hath crowned you with supreme power, as well in the Church, as in the comon wealth, for the advancement of his glorie, & the generall benefite of all the subjects of this land, Wee doe with all humilitie present, at the feet of your excellent Ma: our selves, and our desires full of confidence in the assurances of your religious minde, and princely disposition, That you wilbe graciously pleased to give life, and effect to these our petitions greatly tending (as undoubtedly we conceive) to the glorie of God, the good of his Church, & safetie of your most royall person, wherein we acknowledge our greatest happynes to consist.

1. Whereas good and provident lawes have beene made for the maintenance of Gods true religion & safetie of your Majesties most royall person, issue, and estate, against Iesuites, Seminarie Preists, and popish recusants. And although your Majestie by your godly learned, and judicious writings have declared your princely, & christian zeale in the defence of the religion established, & have very lately ( to the comfort of your best affected subjects ) published to both howses of Parliament your princely will and pleasure, that recusants should not be concealed, but detected and convicted: yet for that the lawes are not executed against the Preists, who are the corrupters of the people in religion, and loyaltie, and many Recusants haue already compounded, and (as it is to be feared) more and more ( except your Ma: in your great wisdom, prevent the same ) will compound with those

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beg their penalties, which maketh the lawes altogether fruitless, or of little or none effect, & the offenders to become bold, obdurate, and unconformable: Your Majestie therefore would be pleased, at the humble sute of your commons in this present Parliament assembled, in the causes so highly concerning the glorie of God, the preservation of true religion, of your Majestie and state, to suffer your highnes naturall clemencie to retire it self and to give place unto justice, and to lay your royall command upō al your ministers of justice both ecclesiastical, & civil, to see the lawes made against Iesuites seminarie Preists and Recusants (of what kind and sect soever) to be due!y, and exactly executed, without dread, or delay. And that your Majestie would be pleased likewise to take into your owne hands, the penalties due for recusancie, and that the same be not converted to the private gaine of some, to your infinite losse, the imboldning of the Papists, and decay of true religion.

2. Whereas also divers painfull, and learned Pastors, that haue long traueiled in the work of the Ministerie, with good fruit and blessing of their labours, who were ever ready to perform the legal Subscription appointed by the Statute of 13. Elizab: which onely concerneth the confession of the true Christian faith and doctrine of the Sacraments, yet for not conforming in some points of ceremonies, and refusing the subscription directed by the late Canons, have been removed from their ecclesiastical livings, being their freehold, and debarred from all meanes of maintenance, to the great grieve of sundry your Majesties well affected subjects; seing the whol people, that want instruction, are by this meanes punished, and through ignorance, lye open to the seducements of popish, and ill affected persons: Wee therefore most  
humbly

humbly beseech, your Majesty would be graciously pleased, that such deprived, and silenced ministers may by licence, or permissiō of the reverend fathers, in their severall diocesses, instruct, and preach vnto their people in such parishes, and places, where they may be employed: so as they apply themselves, in their ministry, to wholesome doctrine, and exhortation, and live quietly, and peaceably in their callings, and shall not by writing, or preaching, impugne things established by publick authority.

3. Whereas likewise through pluralitie of benefices, & toleration of non recidencie in many, who possess not the meanest livinges with cure of soules, the people in diverse places want instruction, and are ignorant, & easy to be seduced, whereby the adversaries of our religiō gaine great advantage, and although the pluralists, and non-residents doe frame excuse of the smalnes of some livinges, and pretende the maintenance of learning, yet we finde by experience that they, coupling many of the greatest livinges, doe leave the least helpiells, & the best as ill served, & supplied with preachers, as the meanest. And where pluralists heaping vp many livinges into one hand, doe by that meanes keep divers learned men frō maintenance to the discouragement of Students, & the hinderance of learning & the non-residents (for seeking, or absenting themselves frō their pastorall charges) doe leave the people, as a prey, vnto the popish Seducers. It might therefore please your most excellent Majesty for remedy of these evils in the Church to provide, that dispensatiōs for plurality of benefices with cure of souls may be prohibited, & that toleration of non-residencie may be restrayned. So shall true religion be better vpheld, and the people more instructed in divine, and



beg their penalties, which maketh the lawes altogether fruitless, or of litle or none effect, & the offenders to become bold, obdurate, and unconformable: Your Majestie therefore would be pleased, at the humble sute of your commons in this present Parliament assembled, in the causes so highly concerning the glorie of God, the preservation of true religion, of your Majestie and state, to suffer your highnes naturall clemencie to retire it self and to give place unto justice, and to lay your royall command upō al your ministers of justice both ecclesiastical, & civil, to see the lawes made against Iesuites seminarie Preists and Recusants (of what kind and sect soever) to be duely, and exactly executed, without dread, or delay. And that your Majestie would be pleased likewise to take into your owne hands, the penalties due for recusancie, and that the same be not converted to the private gaine of some, to your infinite losse, the imboldning of the Papists, and decay of true religion.

2. Whereas also divers painfull, and learned Pastors, that haue long traueiled in the work of the Ministerie, with good fruit and blessing of their labours, who were ever ready to perform the legal Subscription appointed by the Statute of 13. Elizab: which onely concerneth the confession of the true Christian faith and doctrine of the Sacraments, yet for not conforming in some points of ceremonies, and refusing the subscription directed by the late Canons, have been removed from their ecclesiastical livings, being their freehold, and debarred from all meanes of maintenance, to the great grieve of sundry your Majesties well affected subjects; seing the whol people, that want instruction, are by this meanes punished, and through ignorance, lye open to the seducements of popish, and ill affected persons: Wee therefore most  
humbly

humbly beseech, your Majesty would be graciously pleased, that such deprived, and silenced ministers may by licence, or permissiō of the reverend fathers, in their severall diocesses, instruct, and preach vnto their people in such parishes, and places, where they may be employed: so as they apply themselves, in their ministry, to wholesome doctrine, and exhortation, and live quietly, and peaceably in their callings, and shall not by writing, or preaching, impugne things established by publick authority.

3. Whereas likewise through pluralitie of benefices, & toleration of non residencie in many, who possess not the meanest livinges with cure of soules, the people in diverse places want instruction, and are ignorant, & easy to be seduced, whereby the adversaries of our religiō gaine great advantage, and although the pluralists, and non-residents doe frame excuse of the smalnes of some livinges, and pretende the maintenance of learning, yet we finde by experience that they, coupling many of the greatest livings, doe leave the least helpless, & the best as ill served, & supplied with preachers, as the meanest. And where pluralists heaping vp many livings into one hand, doe by that meanes keep divers learned men frō maintenance to the discouragement of Students, & the hinderance of learning & the non-residents (for seeking, or absenting themselves frō their pastorall charges) doe leave the people, as a prey, vnto the popish Seducers. It might therefore please your most excellent Majesty for remedy of these evils in the Church to provide, that dispensatiōs for plurality of benefices with cure of souls may be prohibited, & that toleration of non-residencie may be restrayned. So shall true religion be better vpheld, and the people more instructed in divine, and

evill duties:

4. And for asmuch as excommunication is the heaviest censure for the most grievous offences which the Church doth reteine, yet exercised and inflicted vpon an incredible number of the common people by the subordinate officers of the jurisdiction ecclesiasticall, most cōmonly for very small causes grounded vpon the sole information of a base apparitour, in which case the parties, before they can be discharged, are driven to excessive expence for matters of very small moment, so that the richer break thorough more heynous offences, and escape that censure, by commutation of penance to the great scandall of the Church government, in the abuse of so high a censure, the contempt of the censure is selfe; and grievance of your Majesties poore subjects.

Whetefore your Majesties dutifull commons most humbly beseech your highnes that some due, and fit reformation may be had in the premisses.



## Greivances.

*To the Ringes most excellent Maiestie.*

Most gracious Sovereigne, your Majesties most humble commons assembled in Parliament being moved, as wel out of their dutie and zeale to your Maiestie; as out of the sense of just grieffe wherewith your loving subjects are generally through the whole Realme at this tyme possessed, because they perceive their comon & ancient right & libertie to be much declined, & infringed in these late yeares, Doe with all dutie & humilitie present these our just complaints thereof to your gracious viewe, most instantly craving justice therein and due redresse. And although it be true, that many of the particulars, whereof we now complaine, were in some use in the late Queenes time, & then not much impugned, because the usage of them, being then more moderate, gave not so great occasion of offence, and consequently not so much cause to inquire into the right and validitie of them. Yet the right being now more thoroughly scanned, by reason of the great mischeifs, and inconveniences which the subjectes have thereby sustained, wee are very confident, that your Maiestie wilbe so farre from thinking it a point of honour, or greatnes to continue any grievance vpon your people, because you found them begun in some of your Predecessors times, as you will rather hold it a work of great glorie to reforme them, since your Maiestie knoweth well, that neither continuance of time, nor errors of men, can or ought to prejudice truth of justice; and that nothing can be more worthy of so worthy a King, nor

more answerable to the great wisdom, and goodness which abound in you, then to understand the griefes, & redresse the wrongs of so loyall, and well deserving a people. In this confidence (dread soveraigne) we offer these grievances (the particulars whereof are hereunder set downe) to your gracious consideration, and we offer them out of the greatest loyalty, and dutie that subjects can beare to their Prince. Most humbly and instantly beseeching your Majestie, as well for justice sake (more then which (as we conceive) in these Petitions we doe not seek) as also for the better assurance of the state, and generall repose of your faithful & loving subjects, and for testimonie of your gracious acceptation of their full affections, declared as well by their joyfull receiving of your Majesty, at your happy entrance into this kingdom, which you have been often pleased, with favour, to remember; as also by their extraordinarie contributions graunted since unto you, such as haue been never yee'ded to any former Prince, upon the like termes, and occasions, that we may receive to these our complaints your most gracious answer: which we cannot doubt but wilbe such, as may be worthy of your princely selfe, and will give satisfactiō, & great cōfort to all your loyall, & most dutifull loving subjects; who doe, and will ever pray for the happy preservation of your most royall Majestie.

**New Im-** **T**He policie and constitution of this your  
**positions.** kingdome appropriates unto the Kings of  
 this Realme, with the assent of the Parliament,  
 as well the soveraigne power of making lawes,  
 as that of taxing, or imposing upon the subjects  
 goods, or merchandizes. Wherein they haue  
 justly such a proprietie, as may not, without  
 their

their consent, be altered, or changed. This is the cause, that the people of this kingdome, as they ever shewed themselves faithfull, and loving to their Kings, and ready to ayde them in all their iust occasions, with voluntarie contributions, so have they been ever careful to preserve their owne liberties and rights, when any thing hath been done to prejudice or impeach the same. And therefore when their Princes occasioned eyther by their warres or their over great bountie, or by any other necessitie, haue, without consent of Parliament, set impositions, eyther within the land, or upon comodities eyther exported, or imported by the Merchants, they have, in open Parliament, complained of it, in that it was done without their consents. And thereupon never failed to obteyne a speedie, and full redresse without any claime, made by the Kinges of any power, or prerogative in that point. And though the lawe of proprietie be originall, and carefully preserved by the cōmon lawes of this Realme, which are as ancient as the kingdome it selfe; yet these famous Kings, for the better contentment, and assurance of their loving subjects, agreed, that this old fundamentall right should be further declared, and established by act of Parliament. Wherein it is provided, that no such charges should ever be layd upon the people, without their cōmon cōsent, as may appeare by sundry records of former times. Wee therefore your Majesties most humble cōmons assembled in Parliament following the example of this worthy care of our ancestors, and out of a dutie of those for whome we serve, finding that your Majestie without advile or consent of Parliament, hath lately, in time of peace, set both greater impositions, and farre more in number, then any your noble ancestors did ever, in time



of warre, have with all humilitie presumed to present this most just, and necessarie Petition unto your Ma: That all impositions set without the assent of Parliamēt may be quite abolished, and taken away, and that your Majestie in imitatiō likewise of your noble Progenitors, wilbe pleased, that a law may be made during this session of Parliament, to declare that all Impositions set, or to be set upō your people their goods or merchandizes, save onely by cōmon consent in Parliament, are, and shalbe void. Wherein your Ma: shal not onely give your subjects good satisfaction in point of their right, but also bring exceeding joy, & comfort to them which now suffer, partly through the abating of the price of native cōmodities, & partly through the raising of all forraign, to the overthrow of Merchants and shipping, the causing of a generall dearth, & decay of wealth among your people, who wilbe thereby no lesse discouraged, then disabled to supply your Ma: whē occasiō shal require it.

Cōmis-  
sion ec-  
clesiasti-  
call.

WHEREAS by the statute 1. Eliz. cap. 1. intituled an Act restoring to the crown the auncient jurisdictiō over the state ecclesiasticall, &c. power was given to the Queene, and her successorsto constitute, and make a Commission in cause ecclesiasticall, the sayd act is found to be inconvenient, of dangerous extent in divers respects. First, for that it inableth the making of such a cōmission as wel to any one subject borne, as to more. Secondly, for that whereas by the intention, and wordes of the sayd statute, ecclesiasticall jurisdiction is restored to the crown, and your highnes

highnes, by that statute inabled to give only such power ecclesiasticall to the sayd cōmissioners, yet under colour of some words in that statute, wherby the Cōmissioners are authorisid to execute their Commission according to the tenour, and effect of your highnes letters patents. And by letters patents grounded thereupon, the sayd Commissioners doe fine, and imprison, and exercise other authoritie not belonging to the ecclesiasticall jurisdiction restored by that statute, which we conceive to be a great wrong to the subject; And that those Cōmissioners might as well by colour of those words, if they were so authorized by your highnes letters patēts, fine without stint, and imprison without limitation of time, as also according to will, and discretion, without any rules of law, spirituall or temporall, adjudge & impose utter confiscation of goods, forfeiture of lands, yea, and the taking away of limme and of life it selfe; & this for any matter whatsoever perteyning to spirituall jurisdiction. Which never was, nor could be meant by the makers of that law. Thirdly for that by the said statute the King, and his successors may (howsoever your Majestic hath been pleased out of your gracious disposition otherwise to order) make, and direct such Commission into all the Counties, and Dioceses, yea into every parish of England, and thereby all causes may be taken from ordinarie jurisdiction of Bishops, Chancellors, and Arch-deacons, and lay-men solely be inabled to excommunicate, & exercise all other censures spiritual. Fourthly for that every pettie offence perteyning to spirituall jurisdiction, is, by colour of the sayd wordes, and letters Patents grounded thereupon, made subject to excommunication and punishment by that strange and exorbitant power, and commission, whereby the least offenders,

offenders; not committing any thing of any enormous, or high nature may be drawne from the most remote places of the kingdome to London, or York, which, is very grievous, and inconvenient. Fifthly for that limit, touching causes subject to this commission, being onely with these wordes, viz. **Such as pertain to spiritual or ecclesiasticall jurisdiction;** it is very hard to knowe, what matters, or offences are included in that number. And the rather because it is unknown, what ancient canons, or lawes spirituall are in force, & what not: from whence ariseth great incertaintie, and occasion of contention.

And whereas upon the same statute a commission ecclesiasticall is made; Therein is grievance apprehended thus. First for that thereby the same men have both spirituall and temporall jurisdiction, and may both force the party by oath to accuse himselfe of an offence, & also inquire thereof by a jurie, and lastly may inflict for the same offence, at the same time, and by one and the same sentence, both a spirituall and temporall punishment. Secondly whereas, upon sentences of deprivation, or other spirituall censures given by force of ordinarie jurisdiction, an appeale lyeth for the partie greived; that is here excluded by expresse wordes of the commission. Also here is to be a triall by jury, yet no remedy by traverse, nor attaint. Neyther can a man haue any writ of error, though a judgment or sentence be given against him, amounting to the taking away of all his goodes, & imprisoning him during life, yea to the adjudging him in the case of Premunire, whereby his lands are forfeited, and he out of the protection of the lawe. Thirdly, that whereas penal lawes, and offences against the same cannot be determined in other courts, or by other persons.



sons, then by those trusted by Parliament with the execution thereof, yet the execution of many such statutes (diverse whereof were made since 1. Eliz.) are comended and comitted to these Commissioners ecclesiasticall, who are eyther to inflict the punishment conteyned in the statutes being premunire, and of other high nature, and so to inforce a man upon his own oath to accuse, & expose himself to these punishments, or els to inflict other temporall punishment at their pleasure. And yet besides, and after that done, the partie shalbe subject in the Courtes mentioned in the acts, to punishments by the same actes appointed and inflicted: which we think very vnreasonable. Fourthly, that the comission giveth authority to inforce men called into question to enter into recognisance not onely for appearance fro time, to time, but also for performance of whatsoever shalbe, by the commissioners ordered. And also that it giveth power to enioyne parties defendant, or accused, to pay such fees to ministers of the court, as by the commissioners shal be thought fit.

And touching the execution of the comission, it is found greivous these wayes among other. First for that laymen are by the Commissioners punished for speaking (otherwise then in iudiciall places, and courses) of the symonie and other misdemeanours of spirituall men, though the thing spoken be true, & the speach tending to the inducing of some condigne punishment. Secondly in that these commissioners usually appoint and allot to weomen discontented at, and unwilling to live with their husbands such portions, & allowances for present maintenance, as to them shal seeme fit: to the great encouragement of wives to be disobedient, and contemptuous against their husbands. Thirdly, in that their  
Pur.

purſuivantes, or other minifters imployed in the apprehenſion of ſuſpected offenders in any things ſpiritually, & in the ſearching for any ſuppoſed ſcandalous bookes, uſe to breake open mens houſes, cloſets, & deſkes, riſing all corners, and ſecret cuſtodies, as in caſes of high treaſon, or ſuſpition thereof. All which premiffes among other things conſidered, your Maſeſties moſt loyal, and dutifull commons, in all humblenes, beſeech you, that for the eaſing of them, aſwel from the preſent grievance, as from the feare, and poſſibility of greater in tymes future; your highnes would vouchſafe your royall aſſent, and allowance to, and for the ratifying of the ſaide Statute and the reducing thereof, and conſequently of the ſaide commiſſion to reaſonable, and convenient limits, by ſome act to be paſſed in this preſent ſeſſion of Parliament.

Procla-  
mations.

Amongſt many other pointes of happines, & freedome which your Maſeſties ſubjects of this kingdome have injoyed under your royall Progenitors, Kings and Queenes of this Realme, there is none which they have accounted more deere, and precious then this, to be guided, and governed by the certaine rule of the law (which giveth both to the head, and members, that which of right belongeth vnto them) and not by any vncertaine or arbitrary forme of government. Which, as it hath proceeded from the originall good conſtitution, and temperature of this eſtate: ſo hath it been the principall meanes of upholding the ſame in ſuch ſort, as that their Kings have bene juſt, beloved, happy & glorious, and the kingdome it ſelf peaceable, flouriſhing

thing and durable so many ages. And the effect, as well of the contentment that the subjects of this kingdom haue taken in this forme of government, as also of the love, respect, and dutie which they have, by reason of the same, rendred unto their Princes, may appeare in this, That they have, as occasion hath required, yeelded more extraordinarie and voluntary contributions to assist their Kings, than the subjects of any other knowne kingdom whatsoever. Out of this roote hath growen the indubitable right of the people of this kingdom: not to be made subject to any punishment, that shall extend to their lives, landes, bodies, or goodes, other then such, as are ordeyned by the common lawes of this land, or the statutes made by their common consent in Parliament.

Neverthelesse it is apparant both that proclamations have beene, of late yeares, much more frequent, then heretofore, and that they are extended, not onely to the libertie, but also to the goods, inheritances, and livelihood of men, some of them tending to alter some points of the lawe, and make a newe. Other some made, shortly after a session of Parliament, for matter directly rejected in the same session; other appointing punishments to be inflicted before lawfull triall, and conviction; Some cōteyning penalties in forme of penall statutes: Some referring the punishment of offenders to the courts of arbitrary discretion, which have layd heauie and greivous censures vpon the delinquents: Some, as the Proclamation for starch, accompanied with Letters commaunding inquirie to be made against the transgressors, at the quarter sessions: and some vouching



vouching former proclamations to countenance, and warrant the later, as by a catalogue here vnder written more particularly appeareth. By reason whereof there is a generall feare conceived, and spread amongst your Majesties people, that proclamations will, by degrees, grow vp, and increase to the strength, and nature of lawes. Whereby, not onely that ancient happynes, freedom wilbe much blemished (if not quite taken away) which their ancestors have so long enjoyed; but the same may also (in proces of time) bring a new forme of arbitrary government vpon the Realme. And this their feare is the more increased by occasion aswel of certeyn bookes lately published, which ascribe a greater power to Proclamatiōs then heretofore hath been conceived to belong unto them; as also of the care taken to reduce all the proclamations, made since your Majesties reigne, into one volume; and to print them in such forme as Acts of Parliament formerly have been, & still are vsed to be: which seemeth to imply a purpose to give them more reputation and more establishment, then heretofore they have had. Wee therefore your Majesties humble subjects the commons in this Parliament assembled, taking these matters into our considerations, and weighing how much it doth concerne your Majestie, both in honour and safetie, that such impressions should not be suffered to settle in your subjects mindes, have thought it to apperteyne to our duties, as well towards your Majestie; and to those that haue trusted, and sent us to this service, to present unto your Majesties view these feares, and griefs of your people & so become humble suiters unto your Majestie, that henceforth no fine, or forfeiture of goods, or other pecuniary, or corporall punishment may be inflicted upon your subjects

subjects (other thā restraint of liberty, which wee also humbly beseech may be, but upon vrgent necessity, and to continue but till other order may be taken by course of law) vnless they shall offend against some law or statute of this realme in force, at the tyme of their offence committed. And for the greater assurance, & comfort of your people, That it will please your Majesty to declare your royall pleasure to that purpose, either by some law to be made in this sessiō of Parliamēt: or by some such other course (wherof your people may take knowledge) as to your Princely wisdomē shall seeme most conuenient.

**Proclamations importing alterations of some points of the law, and making new.**

11. Ian. 1. 17. f. 57. forbiddeth choosing of Knights, & burgeses bankrupt, or outlawed: and commandeth choise of such, as are not only taxed to subsidies, but also haue ordinarily payed, and satisfied the same. f. 59. If returnes be made contrary to the proclamation, they are to be rejected, as vnlawfull; and insufficient. f. 60.

25. Aug. 5. 12. f. 151. That the proclamation shalbe a warrant to any officer, or subject to seise starch, and to dispose, or destroy any stufte &c. and restraineth all men not licenced to make starch. f. 154.

2. A Proclamation made shortly after  
C Parliaments

Parliament for matter directly rejected the precedent session.

1. Mar. 2. 1. f. 102. A proclamation for building with brick after a bill to that end rejected.

3 Proclamations touching the freehold, and livelihood of men. 16. Septemb. 1. Ia. f. 41. Raising and pulling downe howses authorised, and prohibition to build them againe at any time. f. 42. 12. Oct. 5. Ia. f. 160. forbidding building and taking away the materials; and appointing the owners land to be let by other men, at what price they please f. 161.

4. Proclamations referring punishmēt to be done by Iustices of peace, Majors, Bailives, Constables, & other Officers; or seisure by persons who have no auctoritie to require, heare, and determine of those offences. So it is to be inflicted before lawfull triall & conviction.

8. Ian. 2. Ia. f. 72. A Proclamation for folding wooles. 23. Aug. 5. Ia. f. 151, seisure of starch, &c. f. 154.

5. Proclamations penned with penalties in forme of penal Statutes

4. No. 1. Ia. f. . Paine of confiscation of goods, f. 56. 18. Ian. 2. Ia. f. 72. Ten dayes imprisonment & standing in the pillory, f. 72. Iustices of peace to forfeit



20. pounds if they see not the Proclamation of folding wooles executed, f. 75.

23. Aug. 5. 12. f. 151. forfeiture of one moiety of starch &c. seized &c. 154.

6. Punishment of offenders in courts of arbitrary discretion, as starre chamber.

1. Mar. 2. 12. f. 102. Proclamation for building f. 103. 12. Oct. 5. 12. 159. Proclam. for building, f. 160. 5. Iul. 6. 12. f. 177. Procl. for starch. f. 180. 25. Iul. 6. 12. f. 180. Procl. for building, f. 181.

7. Proclam. former become Presidents, and avouched in later Proclam.

18. Iun. 2. 12. f. 75. avoucheth 5. E. 6. & 4. Eliz. f. 73. 25. Iul. 6. 12. f. 180. mentioneth former Proclam. against buildings, & explaineth, and qualifieth them. f. 180.

Your Majesties commons in this session of Parliament assembled, doe cheerefully acknowledge the spring and fountaine of the publique justice of this state, to be originally in your Ma: from the benefite thereof is conveyed, and derived into every member of this politique body by your Highnes writs. Amongst which none are more honourable for the support of the comon justice of the realme, then the writs of prohibition, *habeas corpus*, & *de homine replegiendo*, which

writs have been ever held, and found to be a chief meanes of releife vnto the poore distressed, and oppressed subjects of this kingdome, and can be no inconvenience at all. Seing they are no way conclusive against any man, and doo draw no benefit to the procurers, but rather a fruitless charge, if they be obtained vpon any vnjust ground, or pretence. In the free granting of, & proceeding vpon some of which writes, especially that of **prohibition**; there hath of late, been observed to be some obstruction: by reason, that vpon the complaints and the importunity of some, who desire the support of inferiour courts, against the principall courts of the common law (wherewith your Majesty hath been greatly troubled) you have taken into your royall consideration the severall extents of the jurisdiction of the sayd severall courts. Since which time the said writes have been more sparingly, graunted, and with stricter cautions then anciently hath been accustomed. It is therefore most humbly desired, that it may please your Majestie (whose glory is never more cōspicuous, then when the poorest of the commonalty are blessed with the influence of the ancient beames of justice) to require your judges, in the courts of Westminster, to grant the sayd writes, in cases wherein such writes doe lye, and by law are grantable: And in such sort, as that such persons, whose bodies being eyther cō-

mitted to prison, or their causes like to receive great prejudice by proceedings against them, in times of vacation, may not be debarred nor deferred from having the speedy reliefe & benefite of those writes, more then in former times.

For asmuch as the exercise of authoritie over the counties of **Glocester Hereford Wigorne and Salope**, by the president, & counsell of **Wales** by way of instructions, vpon pretext of a statute made in the 34 yeare of the reigne of King Henry the 3. is conceived not to be warranted by that or any other lawe of this Realme of **England**. And for that in the 2 session of this present parliament, there did a bill pass the house of the Commons, whereby it was declared that the true intent, and meaning of that before mentioned statute, was not thereby to subject these countries to that kind of government by instructions. And yet notwithstanding the inhabitants of those Counties are since vtterly discouraged, and in effect, debarred from triall of the right of that kind of jurisdiction over those countries, by the ordinarie course of the comon lawes of this land; by reason of **Prohibitions**, which were heretofore frequently granted (vpon suggestion, that those countries are not part of Wales or of the marches of the same (which is the very point in question) are now become very hard to

4. Shires



be obteyned, except in cases, where those  
 of that councell do exceed the instructions  
 set downe to them by your Majestie. As  
 also for that, in cases, where actions haue  
 been brought at the comon law, whereby  
 that question might haue come to decision,  
 the plaintifes haue been stopped, sometimes  
 by injunctions out of your Majesties court of  
 Chancery, fro their proceedings sometime  
 before, sometime after judgemets, and some  
 time also by imprisonment. The precedent  
 of which proceedings doth cōcern all your  
 Majesties loyall and dutifull subjects of this  
 kingdom, as well in respect of the stopping  
 of the free course of Iustice: as also, by  
 reason that if that kinde of jurisdiction were  
 at first extended over those 4. counties, &c  
 be now still continued without warrant of  
 law: then consequence of this example  
 may, in future times, give countenance to  
 the erecting of like jurisdictions in other  
 places of this Realme. And for asmuch  
 as your Majestie was pleased to commaund  
 all the Iudges to consider of this question,  
 and that they thereupon bestowed very ma-  
 ny dayes in hearing the cause argued by  
 learned counsaile on both sides. And in  
 viewing and considering of great numbers  
 of recordes produced before them, concer-  
 ning that cause: whereby, they have (no  
 doubt) throughly informed themselves of  
 the right. It is therefore the most  
 humble

humble petition of the commons in this present Parliament assembled, that your most excellent Majestie will also be pleased to commaund, that the Iudges may deliver their opinion upon that so exact, and deliberate hearing, which was had before them, concerning the right of the foresayd jurisdiction over those 4. Counties by force of that statute. And that the opinion which they shall deliver therein, may be in such sort published, as that all your Majesties subjects whome it may concerne may have meanes to take knowledge thereof. And that your Ma: will vouchsafe to declare it by your most princely pleasure, that any of your Majesties subjects who may haue occasion thereof may trye his, or their right in that point by due, and ordinarie course of the common lawe, eyther by suing out of prohibitions, or any other your Majesties writs without restraint. And that if the sayd jurisdiction over those 4. Counties shal appeare to your Majestie, by the opinion of the Iudges, or otherwise, not to be warranted by law, that then your Majesty be pleased out of your most princely and gracious favour towards all your loyall, and duetifull subjectes, to order the ceasing of the sayde jurisdiction over those counties, to the great comfort of the inhabitants of those counties, and the rest of your Majesties subjects of all the kingdome.

*New dra-  
pary.*

Complaint was made, in all humble man-  
ner, the second session of this present Par-  
liament, of many disorders, outrages, &  
oppressions committed vpon occasion of  
letters patents granted to the Duke of Len-  
nox, for the searching, and sealing of stuffs,  
and manufactures, called by the name of  
**new draperte**: which patent wee held in  
all, or the most partes of it, to be question-  
able, and in many apparantly vnlawfull:  
and the execution thereof we found stret-  
ched by the farmers, and deputies beyond  
the extent of the sayd letters patents, as ap-  
peares in the particulars set downe in the  
said greivance. To which it pleased your  
Majestie to give this gracious answer, that  
the validitie of the sayd patent should be  
left to be judged by the law. And when-  
soever any abuse arising in the execution  
thereof should appeare, it should be severe-  
ly punished. Which was, for that time,  
to our good satisfaction: yet finding, by  
divers complaints made now in Parliamēt,  
that not onely the said letters patents are  
still in force; and the validitie of them un-  
decided by judgment; but disorders in the  
execution of them are so farre of from be-  
ing reformed, that they multiply every day  
to the grievance of your Majesties subjects.  
And those of the poorer sort, who exerci-  
sing these manufactures are subject to much  
oppressiō, to the great hindrance of some, &  
utter



After undoing of many as hath appeared in the particularities of the complaints presented unto us, Our humble desire is, that your Ma: wil be pleased, accordig to your former resolutiō, to give order, that this cause, wñch hath thus long hung in suspence, be speedily brought to judgment: and that before all the Iudges, because it concerns all the subjects of the land. And, in the meane time, that the execution of the said letters patents, so farre forth as they concerne the aid new draperies, may be suspended till judgment be given: whereby your subjectes, who doe in all humilitie present this grievance unto your Majestie may be relieved, & haue no occasion to reiterate their complaints.

Whereas by ancient, and late statutes it hath been enacted, that wines should be retayled at such lowe rates, and prices, as for these so. yeres last past they could not be afforded. And for redresse thereof it was ordeyned by a statute, in the 5. yeare of the late Queene Elizabeth, that (those former lawes notwithstanding) wines might be solde at such prices, as by Proclamation from time to time to be made by consent of divers great officers, should be published, and set downe: which proclamation neverthelesse, the late Queen, & your most excellent Ma: have been drawn to forbear, upō the earnest sute of certein persons,

*Licenses of  
Wines.*

A s

who therein

therein onely intended their private gaine :  
 By reason whereof, both great sūms of mo-  
 ny in fines, rentes, and annuall payments  
 have been gotten, and rayfed vnto the said  
 persons, and their assignes, and great damage  
 and prejudice hath likewise fallen, and light  
 vpon your people, not onely by inhancing  
 the prices of wines, licencing over many Ta-  
 vernes, and appointing of vnmeet persons,  
 in vnfit places, to keep the same : But also  
 by reason that corrupt, mingled, evill, and  
 vnwholesome wines have been vttered, and  
 solde to the great hurt of the health of your  
 Highnes people, One man sometimes in-  
 grossing all the Licences designed for that  
 place : Wherevpon complaint being made  
 to your Majestie, amongst other grievances  
 of your people, in the second session of this  
 present Parliament, your Highnes was plea-  
 sed to answer, that your grants in that be-  
 halfe were no other, then such as were  
 warrantable by the law. Whereas the grei-  
 vance was the greater, for that all lawes, cō-  
 cerning the sale of wines, being intended,  
 and conceived to stand, & be repealed, there  
 were neverthelesse, by the oversight of  
 them which were trusted in that busienes,  
 casuall omitted, and left vnrepealed cer-  
 taine absolute lawes impossible to be obse-  
 ved: as namely one made in the time of K.  
 Edward the first, commanding wines to be  
 sold at 12. pence the sexterne, and one o-  
 ther

ther made in the 28. of K. Henry the eight prohibiting all persons, vnder penalty, to sell any french wines above 8. pence the gallon, and other wines, as secks, and sweet wines above 12. pence the gallon: and one branch of a statute made in the 7. yeare of K. Edward the 6. prohibiting men to sell any wines by retaile in their howses. Wherevpon your Majesty hath been induced and drawne to ground new patents of dispensation, and to grant the benefit thereof vnto the Lord Admirall: whereby the like discommodities and inconveniences have sithence insued vnto the commonweath as formerly did arise and growe vpon the other repealed lawes, whereof, in the former petitions of your subjects exhibited vnto your Majesty in the sayd second session, your highnes never had any direct, and cleare information. May it therefore please your most excellent Majesty at the humble request of your commons (who have taken into consideration the great charges, and expences, which the sayd L. Admirall hath been at, in your Majesties service, and have considered likewise the present licences, and grants for valuable consideration vnto many hundreth of your Highnes subjectes, which without great losse to the sayd grantees, cannot be so suddenly made voide) out of your Princely wisdom, and goodnes, wherein you have  
 professed



professed not to extend, & strain your prerogative royall against the publique good of your people, for the particular gaine of any private persons, To vouchsafe, that from hence forwards, there may no mo grantes, of that nature, be made vnto any of your subjects whomsoever. But that the sayd statute of s. Elizabeth, for the apprising of wines, to be published by proclamation, as time, and occasion shall require, may be put in execution. And that your Majesty will likewise vouchsafe to grant your royall assent to a bill of repeale of the sayd obsolete statutes, and all other, wherevpon any such, *Non obstantes*, and dispensations might be grounded vpon. In which statute of repeale proviso shalbe made for the indempnitie of all such, as vnder your Majesties great seale have already procured licence for such sale of wines.

*Alabonfer.*

Whereas, by the lawes of this your Majesties realme of England no taxes, aides, or impositiōs of any kinde whatsoever, ought, or can be laid, and imposed vpon your people, or vpon any of their goods, or commodities, but onely by authority and consent of Parliament. Which being vndoubtedly the ancient, and fundamentall law of the land, is yet, for more abundant clearnes expressly declared in sundry acts of Parliamēt, made & enacted in the time of sundry your Majesties Progenitors, the noblest, & most prudent

prudent Kings of this Realme. Your commons  
 with iust greife doe complaine vnto your  
 Majesty of the late taxe, and imposition laid,  
 and imposed yearely vpon such, as are al-  
 lowed to keep victualling houses, or sel ale,  
 and beere by retaile. Which imposition  
 not being taxed by assent of parliament, but  
 commanded, and directed onely by letters,  
 & instructions, your commons are perswa-  
 ded that the same proceeded rather vpon  
 misinformation, then by the direction, &  
 iudgment of your owne most noble & roy-  
 all heart. Wherefore your said commons  
 knowing the grieife of your people in this  
 behalf, do (according to their duties) in all  
 humilitie informe, and signify vnto your  
 Majestie: first, that the said taxation being  
 singular, and without example, is in it  
 self a President of dangerous consequence,  
 and (as your people feare) may easily (in  
 time) be extended further, as to badgers of  
 corne, makers of malt, drovers of cattel, and  
 such like, who, in such sort, are to be li-  
 censed by Iustices of peace, as those persons  
 are, upon whom, at this time, this present  
 charge and tax is layd. Secondly such how-  
 ses, being often times at (the best) the har-  
 bours of idlenes, drunkennes, whoredome,  
 & all maner of felonies, the licēces are now  
 (the honester sort, in most places, refusing  
 to vndergo the new charge) rented, & taken  
 by

by the looser, and baser sort of people, who have no conscience how they gaine, By reason whereof all manner of vice, and evil behaviour is likely every day to encrease: neyther can the Iustices of peace conveniently prevent the same: for that the persons licenced under the late contribution, affirme, with clamour, that they have a toleration for a yeare, and that such persons are not freinds unto the crowne, that seek to suppress them, and thereby to diminish your highnes revenewes. Thirdly many Iustices of peace, (being sworne to execute their office) which for this particular they conceive to be, that alehouse keepers formerly licensed, are not to be suppressed without just, and reasonable cause, cannot be satisfied touching their sayd oath, but are much distracted, and perplexed what to doe (the late instructions notwithstanding) against such persons, as otherwise being not knowen to be of evill behaviour, onely refuse to pay this late taxed and imposed some of money. In consideration whereof, your humble commons most instantly beseech your most excellent Majestie that the former letters, and instructions may be countermaunded, or stayed, and all further directions, and proceedings in that kinde forborne.

*Seacole.*

Among many resemblances, which are observed to be between naturall and politique bodies, there is none more apt, & natural



curall then this, That the diseases of both  
 doe not, at one instant, comonly seise vp-  
 on all parts: but beginning in some one  
 part, doe, by tract of time, and by degrees,  
 get possession of the whole, unlesse by ap-  
 plying of wholesome and proper remedies,  
 in due time, they be prevented. Which as  
 it is in many things very visible: so it is in  
 nothing more apparant, then in this matter  
 of impositions: which beginning at the  
 firste eyther with forreigne commodities  
 brought in, or such of our owne, as were  
 transported, is now extended to those co-  
 modities, which growing in this kingdome,  
 are not transported, but uttered to the sub-  
 jects of the same: for prooffe whereof, wee  
 doe, with all humilitie present unto your  
 Ma: view the late imposition of 12. pence  
 the chalder of seacole rising in Blith & Sun-  
 derland, not by vettue of any contract, or  
 grant (as in the coales of New castle) but  
 under a meer pretext of your Majesties most  
 royall prerogative: which imposition is  
 not onely grievous for the present (especial-  
 ly to those of the poorer sort, the price of  
 whose onely, and most necessarie fewell is  
 thereby, to their great grieve, inhaunced)  
 but dangerous also for the future; con-  
 sidering that the reason of this president  
 may be extended to all the commodities of  
 this kingdome. May it therefore please  
 your most excellent Majestie, who is the  
 great,

great, and soveraigne phyfition of this estate,  
to apply such a remedie as this disease may  
be presently cured, and all diseases, for tyme  
to come, of like nature, prevented.

*These grievances were Presented  
to his Maiefty with a  
speach of Sir Fr. Bacon, by  
12. of the lower house, 7. Ju-  
ly 1610. in the 4. session of  
Parliament; Because the  
King commanded 12. and  
no more, &c.*



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